

**WASHINGTON STATE HUMAN RIGHTS COMMISSION
MEETING OF
May 16-17, 2002
Garden Street Family Center &
Western Washington University
Bellingham, WA**

MINUTES

THURSDAY, MAY 16

PARTICIPANTS

Commissioners: Rudy Vasquez (Chair); Dallas Barnes; J. Reiko Callner; Ellis Casson; and Charlotte Coker.

Staff: Susan (Sue) J. Jordan; Executive Director; Arthur Stratton, District Manager; and Tanya Calahan, Commission Clerk.

Guests: Julie Helling, Law & Diversity Program, Western Washington University; Lisa Fox, Whatcom Human Rights Task Force; Heidi Henken; Marie Eaton, Fairhaven College; Dana Briggs, Amnesty International; Betsy Pernotto and Jacob Carton, Washington State Jobs with Justice; Sherry Jubilo; Meg Brode, YWCA; Alex Cummings; Ellen Murphy; Tip Johnson; Mo West, Mount Baker Planned Parenthood; and Julie Mauermann, Ferndale Diversity Coalition.

OPENING

The meeting was called to order by Commissioner Vasquez at 6:30 p.m. He welcomed everyone to the meeting.

**COMMUNITY
MEETING**

Several individuals spoke regarding activities and issues within the Bellingham Community.

Julie Helling talked about the Law and Diversity Program at Fairhaven College. Fairhaven College is part of Western Washington University. Ms. Helling stated how Supreme Court Justice Charles Z. Smith served as a motivator to start this program and increase the number of people of color into the legal profession. It is a two-year program which offers a bachelor's degree. Four hundred students are enrolled in the program. The class sizes are small: 12-15 students.

There was discussion about the Whatcom Civil Rights Project

(WCRP). The coordinators of this project work closely with the Whatcom Human Rights Task Force. The WCRP makes referrals to attorneys who specialize in civil rights law. Cases that have a broad impact are referred. Students from the Law and Diversity Program at WWU participate also.

Marie Eaton spoke about domestic partner benefits for state employees. She expressed concern about the possibility of the elimination of this benefit. She stated that the benefits are provided for married people.

Lisa Fox spoke on behalf of the Whatcom Human Rights Task Force (WHRTF). She read the organization's mission statement and discussed various projects that have taken place over the past year. The Youth Project has been very successful. WHRTF continues to network with other organizations to build partnerships. WHRTF consists of 350 paid members, plus many volunteers. Ms. Fox will send membership and meeting information to the Commission through the Clerk. The organization meets monthly.

Heidi Heinken spoke about mental health issues. She stated that she is a mental health worker who deals with Gay, Lesbian, and other sexual minorities. She spoke about the challenges faced while trying to meet the mental health needs. She works with a grass roots community group to try to raise awareness. The group comprises 20-30 members who are clinicians and members of the community.

Julie Mauerman spoke on behalf of the Ferndale Diversity Coalition. The Coalition has been engaged in many community events over the past year. They are focusing on "education and celebration." They received the Civil Rights Award from Washington Education Association for its work with youths. A teacher nominated them. The Commissioners discussed coming to Ferndale in 2003 to meet with youths. The visit will be placed on the 2003 Commission meeting schedule.

Betsy Pernatto spoke on behalf of Jobs with Justice. Ms. Pernatto read a speech which focused on workers rights. She group works to protect workers rights to unionize and organize. She stated that companies from Canada are opening up in Whatcom County and that it was important to protect workers' rights.

Dana Biggs spoke on behalf of Amnesty International. He stated that the group consists of 98% volunteers. The group works to protect individual civil and political rights.

Alex Cummings expressed concern about health issues in Whatcom County and the incidences of illness. She stated that she works with about 40-60 other concerned community members to address this issue, which may be connected to pollution.

Sherry Jubilo spoke about a recent peace vigil. She expressed concern about the lack of police protection at this event.

Paul deArmand spoke on behalf of Public Good Project. He shared that he conducts research about militia terrorist groups.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:36 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Tanya Y. Calahan".

Tanya Y. Calahan
Commission Clerk

FRIDAY, MAY 17

PARTICIPANTS

Commissioners: Rudy Vasquez (Chair); Ellis Casson; Charlotte Coker; Dallas Barnes; and J. Reiko Callner. A quorum was present.

Staff: Susan (Sue) J. Jordan, Executive Director; Edmon Lee, Deputy Director; Arthur Stratton, District Manager; and Tanya Calahan, Commission Clerk.

Guests: Jonathan Perez, Vice President for Diversity, WWU; Nikki Lac, AS Vice President for Diversity Elect, WWU; Dr. Karen Morse and Dr. Vernon Johnson, WWU.

OPENING

The meeting was called to order at 9:15 a.m. by Commissioner Vasquez.

APPROVAL OF MINUTES

Commissioner Barnes requested that “not” be added to page three , paragraph five. Commissioner Callner then made a motion to approve the minutes of April 25-26, 2002. Commissioner Barnes seconded the motion. MOTION CARRIED.

APPROVAL OF CASE CLOSURES

Commissioner Callner asked questions about several cases. Discussion ensued about Hussein v. WA State Department of Licensing. District Manager Arthur Stratton stated that in general, DOL staff is sensitive to religious beliefs. Individuals are allowed to keep their head coverings on when driver’s license photos are taken.

Commissioner Coker then made a motion to approve the case list for the period of April 23- May 10, 2002. Commissioner Casson seconded the motion. MOTION CARRIED.

COMMISSION BUSINESS

The Commissioners discussed the draft letter to WFSE. Commissioner Coker made a motion that Commissioner Vasquez re-draft the letter and send it. Commissioner Callner seconded the motion. MOTION CARRIED. Commissioner Vasquez will redraft the letter and send it on behalf of the Commissioners.

The Commissioners discussed the draft Commissioner policy definition. Commissioner Callner made a motion to adopt the first sentence of paragraph one as the Commissioners definition of policy. The policy definition reads: “A directive for a course of action that remains constant and defines the values of the agency.” Commissioner Coker seconded the motion. MOTION CARRIED.

Discussion ensued about the draft policy on professionalism. Executive Director Sue Jordan asked for Commissioner support on this issue. Commissioner Barnes asked how this policy would be helpful. Ms. Jordan spoke about the key elements of an investigation and the importance of including completing all of those elements. Deputy Director Edmon Lee suggested that such a policy focus more on professionalism instead of investigative findings or files. District Manager Arthur Stratton suggested that professionalism and quality be defined for clarification. Commissioner Barnes stated that it would be the Executive Director's responsibility to implement the policy on a day to day basis.

Commissioner Callner will take the lead on redrafting the professionalism policy and obtain input from the other Commissioners prior to the next meeting. Commission Clerk Tanya Calahan will mail the final draft for discussion at the June 2002 Commission meeting.

The Commissioners discussed the Commissioner orientation checklist. Commissioner Casson suggested specific timeframes for the items on the checklist. Commissioner Callner suggested aspirational goals; what one would need to know and when. Commissioners Callner and Barnes will work on the Commissioner orientation. They will redraft the document for discussion at the June 2002 Commission meeting.

The Commissioners discussed the Commission meeting format. Commissioner Casson suggested that time be allowed on Thursday for the Commissioners to go out into the community. He spoke about low community attendance at Commission meetings. Commissioner Barnes stated that he likes the idea of inviting staff to Thursday night meetings. Commissioner Casson suggested that investigators be invited to the meetings to share information with the Commissioners about their experiences and to take the Commissioners through an investigation.

Commissioner Callner stated that the community could be interested in learning about the life of a case. There was a suggestion that this be done at the June meeting in Spokane and the July meeting in Vancouver. The Commissioners expressed the importance of the community knowing what the Commission's limitations are.

The Commissioner discussed the possibility of having training as a group on the Law Against Discrimination. This has not been done since 1997. A Commissioner training on the Law Against

Discrimination will be held during the Friday business meeting in July in Vancouver.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Sue Jordan gave an update on agency activities.

Commissioner Vasquez asked about the numbers on the pending investigative report and whether the numbers reflect all cases in the inventory. Ms. Jordan stated that it does. Commissioner Casson asked for an explanation as to why District Managers had cases assigned. Ms. Jordan explained that this is a snapshot of whose desk the case may be on. The cases assigned to the District Managers may be pending investigator assignment.

Executive Director Jordan spoke about the focus of the agency: the administrative enforcement of civil rights. She talked about case production standards, which is a minimum of five cases per month per investigator. The Commissioners asked about the downturn in production. Ms. Jordan stated that there not one reason for this, rather are many contributing factors.

Ms. Jordan discussed the different models for possible restructure of the agency. She highlighted the handouts that explained the different options. Commissioner Barnes requested more narrative data about agency reorganization. He stated that he needed more information to make a decision. This item will be discussed further at a future Commission meeting.

Dr. Karen Morse stopped by the meeting to welcome the Commissioners to WWU's campus. She commended the Commission for the work that it does. She spoke about the increase of minority enrollment at WWU. This year's freshman class is 17% people of color.

The Commissioners expressed appreciation to Edmon Lee for his work at the Commission. They presented him with a plaque for his years of service and hard work. Mr. Lee recently resigned to pursue other career opportunities.

OTHER ITEMS

The Commissioners participated in a networking luncheon with students from ethnic clubs at WWU. They discussed civil rights issues and equity in education issues.

RECONSIDERATIONS

Justin Heard v. Lew Rents. Wanda Casey appeared by phone on behalf of Respondent. Complainant did not participate. District

Manager Arthur Stratton provided a summary of the case. Complainant alleged discrimination based on race. A No Reasonable Cause finding was issued.

Commissioner Barnes made a motion to grant the petition to conduct a narrow investigation that addresses the points in the first, second, and third paragraph of staff's analysis and recommendation. The investigation should cover: clarification of witness Trevor Drum's statements in light of employment and public accommodation allegations; an interview of witness Cooper Wilson; and an investigation of the issue of public accommodation discrimination. Commissioner Coker seconded the motion. MOTION CARRIED.

Elaine Simmons v. Pitney Bowes. Complainant participated by phone. Respondent did not participate. District Manager Arthur Stratton provided a summary of the case. Complainant alleged discrimination based on age and disability. A No Reasonable Cause finding was issued. Complainant insisted that she was not properly accommodated by respondent, when they took her chair from her. She also stated that her witnesses weren't interviewed. Commissioner Barnes made a motion to grant complainant's request for reconsideration. The motion died for lack of a second. Commissioner Coker made a motion to deny the petition. Commissioner Casson seconded the motion. Commissioner Barnes voted no. MOTION CARRIED.

Elaine Toomey v. Watermark Press. Neither complainant nor respondent participated. District Manager Arthur Stratton provided a summary of the case. Complainant alleged discrimination based on age, sex, and retaliation. A No Reasonable Cause finding was issued. Commissioner Barnes made a motion to grant the petition to interview complainant's witnesses and complete any other work required as detailed in staff's May 6, 2002 grant recommendation. Commissioner Coker seconded the motion. MOTION CARRIED.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:36 p.m.

Respectfully submitted,



Tanya Y. Calahan
Commission Clerk

ACTION ITEMS
MAY 16-17, 2002 COMMISSION MEETING

1. **Item:** Commissioner Vasquez will redraft and send a response letter to the WSFE's regarding the Deputy Director.

Status: Commissioner Vasquez is working on the letter. It will be sent prior to the June Commission meeting.
2. **Item:** Commissioners Callner will take the lead on redrafting the Commission's professionalism policy.

Status: This item will be discussed at the June 28, 2002 Commission meeting.
3. **Item:** Commissioners Callner and Barnes will work on the content of the Commissioner Orientation manual.

Status: This item will be discussed at the June 28, 2002 Commission meeting.
4. **Item:** Schedule a Commissioner training on the Law Against Discrimination at the July 26, 2002 Commission meeting in Vancouver.

Status: The training has been scheduled for the July 26, 2002 meeting.